
ARNOLD & PORTER

Andrew H. Myers
Andrew_Myers@aporter.com

303.863.2333
303.832.0428 Fax

Suite 4500
370 Seventeenth Street
Denver, CO 80202

January 23, 2004

VIA FACSIMILE & U.S. MAIL

Gregory P. Miller, Esq., Special Discovery Master
Miller Alfano & Raspanti
1818 Market Street, Suite 3402
Philadelphia, PA 19103

Re: Peggy Martinez, et al. v. American Home Products, et al.
MDL No. 1203, Civil No. 02-0144
Marilyn Melder v. American Home Products, et al.
MDL No. 1203, Civil No. 02-20142

Dear Mr. Miller:

On December 9, 2003, Wyeth filed its Motion to Strike Plaintiffs Marilyn Melder's and Peggy Martinez' Expert Witnesses and to Bar Plaintiff Tefferny Perez from Designating an Expert ("Motion to Strike"). See Exhibit 1, Motion to Strike. Local Rule 7.1(c) of the U.S. District Court for the Eastern District of Pennsylvania provides that a motion may be granted as uncontested if no timely response is filed. Plaintiffs' response to Wyeth's Motion to Strike was due on or before December 26, 2003. To date, Plaintiffs have failed to file or serve any response. Thus, any brief by Plaintiffs in opposition to Wyeth's Motion to Strike is nearly one month overdue. Accordingly, Wyeth hereby respectfully requests that its Motion to Strike be granted as uncontested.

I thank you for your consideration of this matter.

Respectfully,


Andrew H. Myers

cc: Richard Laminack (w/o enclosure)
Buffy Martines (w/o enclosure)
Darleen Jacobs (w/o enclosure)
Susan Earnest (w/o enclosure)
Robert G. Harvey, Sr. (w/o enclosure)
Kathleen Manning (w/o enclosure)